

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13<sup>TH</sup> DAY OF MAY, 2002 AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE ROAD, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Mary W. Biggs	-Chair
	Larry N. Rush	-Vice Chairman
	Gary D. Creed	-Supervisors
	John A. Muffo	
	Annette S. Perkins	
	James D. Politis	
	C.P. Shorter	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Chair called the meeting to order and the Pledge of Allegiance was recited.

### **PUBLIC HEARING**

Proposed Conveyance Right-of-Way - Oilwell Road ( SR 824)

**Montgomery County Board of Supervisors proposed conveyance of a 20 foot by 20 foot turnaround on Oilwell Road ( SR 824) to Dale T. and Teresa A. Echols.** The property is no longer needed as a right-of-way turnaround because Oilwell Road has been extended. The property was originally conveyed to the County by Dale T. and Teresa A. Echols with a reversion clause whereby the parties agreed that the property would be conveyed back to the Echols once the property is no longer needed as a vehicular turning area.

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There being no speakers, the public hearing was closed

### **PUBLIC ADDRESS SESSION**

Patricia Keister addressed the Board with concerns on Pilot Road ( SR 615). Ms. Keister lives 100-150 ft to a dangerous curve on Pilot Road where there has been 15 or more wrecks over the past few years. She stated these wrecks have claimed the lives of too many teenagers. She urged the Board to work with the Virginia Department of Transportation and get this road fixed.

Marcus Thompson addressed the Board with concerns on Pilot Road ( SR 615). The dangerous curve is 3.1 miles from downtown Christiansburg. Mr. Thompson stated his son wrecked on this dangerous curve. He was one of the lucky ones to survive where others have not been. He stated that speed was not a factor and believes the design of the road is the problem. He urged the Board to help find a solution to fix this road and help save the lives of the citizens who travel this road.

Charles Childress addressed the Board in opposition to the proposed upgrade to Chrisman Mill Road ( SR 661). Mr. Childress stated the Comprehensive Plan identifies this area as Rural and Agricultural. The upgrade/paving will disrupt their farming business, the walkers and bikers who travel this road. It already serves as a by-pass from Radford Road ( US 11) to Peppers Ferry Road ( SR 114) and the paving will only increase the number vehicles traveling it a day. Mr. Childress requested the Board to oppose this project.

Floyd Childress addressed the Board in opposition to the proposed upgrade to Chrisman Mill Road (SR 661). Mr. Childress stated the area is rural in nature and a farming district. The upgrade will on increase the traffic and increase the speed. The current road is adequate for the number of people who live on this road.

There being no further speakers, the public address session was closed.

### **DELEGATION**

1. **Virginia Department of Transportation ( VDoT) Revenue Sharing Program Projects**  
Dan Brugh, Resident Engineer, presented an updated report on the Revenue Sharing Program projects.
2. **VDOT - Chrisman Mill Road ( SR 661)**  
Dan Brugh, Resident Engineer, reported on the public hearing held April 16, 2002 on the proposed secondary project on Chrisman Mill Road ( SR 661).
3. **VDOT - Pilot Road ( SR 615)**

## **ADDENDUM**

### **CONSENT AGENDA**

On a motion by Annette S. Perkins, seconded by James D. Politis and carried, the Consent Agenda dated May 13, 2002 was approved.

The vote on the foregoing motion was as follows:

#### **AYE**

C.P. Shorter  
James D. Politis  
Gary D. Creed  
Annette S. Perkins  
John A. Muffo  
Mary W. Biggs

#### **NAY**

Larry N. Rush

### **Approval of Minutes of March 25, April 3, and April 8, 2002**

On a motion by Annette S. Perkins, seconded by James D. Politis and carried, the minutes Dated March 25, April 3, and April 8, 2002 were approved.

### **Schedule Public Hearing - Amend the Code of the County of Montgomery, Virginia**

On a motion by Annette S. Perkins, seconded by James D. Politis and carried,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that a Public Hearing is scheduled for June 24, 2002, at the Montgomery County Government Center, 2<sup>nd</sup> Floor Board Meeting Room, 755 Roanoke Street, Christiansburg, Virginia, for the purpose of hearing comments on the following proposed ordinances:

- (1) An Ordinance Amending Chapter 1 Entitled Administration, Section 1-6 of the Code of the County of Montgomery, Virginia, in or to Impose a Five Dollar Fee as Part of the Cost in Each Criminal or Traffic Case in District or Circuit Court for the Funding of Courthouse Security by the Sheriff and a Twenty-five Dollar Processing Fee on Any Individual Admitted to the County Jail Following Conviction to Defray the Sheriffs Costs of Processing Arrested Persons.
- (2) An Ordinance Amending Chapter 2 Entitled Administration, Section 2-33 of the Code of the County of Montgomery, Virginia in Order to Eliminate the Assessment of a Penalty for Failure to File a Personal Property Return.
- (3) An Ordinance Amending Chapter 2 Entitled Administration, Section 2-92 of the Code of the County of Montgomery, Virginia, in Order to Increase the Enhanced Emergency Telephone Tax from Thirty-five Cents Per Month to One-dollar Per Month and Further Describe What Costs May Be Paid by Amounts Collected from the Tax.

#### **Retired Senior Volunteer Program (RSVP) Grant**

On a motion by Annette S. Perkins, seconded by James D. Politis and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2002, for the function and in the amount as follows:

520	RSVP	\$1,500
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The source of the funds for the foregoing appropriation is as follows:

#### **Revenue Accounts:**

433107	RSVP-Grant	\$1,500
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Said resolution appropriates additional funds received for training.

#### **Sheriff - Supplemental Appropriation**

On a motion by Annette S. Perkins, seconded by James D. Politis and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending

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June 30, 2002, for the function and in the amount as follows:

321	Sheriff - Grants	\$ 1,037
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

424401	State Grants	\$500
424401	Project Life Saver Contributions	<u>\$537</u>
	Total	\$1,037

Said resolution appropriates funds received from a National Highway Transportation Safety Administration Grant and from Project Life Saver Contributions.

**Classification and Compensation Plan - Removal of County Administrator and County Attorney**

On a motion by Annette S. Perkins, seconded by James D. Politis and carried,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia, hereby approves and authorizes the positions of County Administrator and County Attorney to be removed from the County's Classification and Compensation Plans but will continue to follow the County's Personnel Policies and Procedures.

**Longshop/McCoy Ruritan Club - Request for Exemption of Fees Charged by Parks and Recreation**

On a motion by Annette S. Perkins, seconded by James D. Politis and carried,

WHEREAS, By resolution dated the 11<sup>th</sup> day of June, 2001 and amended the 25<sup>th</sup> day of June, 2001, the Montgomery County Board of Supervisors agreed to accept the dedication by the Trustees of the Community Park at McCoy, Virginia, of the Park Property for the purpose of maintaining and locating a ballfield and a County Park; and

WHEREAS, The Deed of Dedication dated the 11<sup>th</sup> of June, 2001 conveyed approximately 4.7853 acres located on McCoy Road in the Prices Fork Magisterial District to Montgomery County for the purpose of locating and maintaining a County Park; and

WHEREAS, The policy of the County Department of Parks and Recreation is to charge a \$25.00

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fee part-day and \$50.00 for a full day for the use of picnic shelters and facilities in County parks; and

WHEREAS, The LongShop/McCoy Ruritan Club has traditionally used the park for their events free of charge.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, hereby authorizes that the LongShop/McCoy Ruritan Club be exempt from fees charged for the use of the County Park located in McCoy, Virginia.

**OLD BUSINESS**

**Special Use Permit - Henry Sink**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that Henry Sink's request for a Special Use Permit to allow a general store in Agriculture (A-1) on a 15 acre tract, Tax Parcel Nos. 106-4-1,2,3,4 (Account ID #010156) is hereby approved subject to the following conditions:

1. Use is for general store and ice cream shop only. The business shall not exceed 2,000 square feet.
2. A site plan must be submitted prior to development. If the total amount of disturbed area exceeds 10,000 square feet, an Erosion and Sediment Control plan must be submitted to the County Engineer. The parking area shall be no closer than 100 feet to any adjacent residences, other than the owner's dwelling.
3. Must obtain a State Health Department permit for food.

The property is located on the east side of Riner Road ( SR 8) approximately 1500 feet north of the Childress Road ( SR 638) intersection, in the Riner Magisterial District. The property lies in an area designated Agriculture in the Comprehensive Plan.

The vote on the foregoing motion was as follows:

**AYE**

C.P. Shorter

Gary D. Creed

Annette S. Perkins

John A. Muffo

**NAY**

None

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Larry N. Rush  
James D. Politis  
Mary W. Biggs

**Special Use Permit- J. Steven Duncan**

On a motion by Larry N. Rush, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the J. Steven Duncan request for a Special Use Permit to allow a Contractor's Equipment Storage Yard on 1 acre of a 442 acre tract, Tax Parcel No. 110-A-25A (Account ID #030675) located at 3281 Fishers View Road in the Shawsville Magisterial District is hereby **DENIED**.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
John A. Muffo	
Larry N. Rush	
James D. Politis	
C.P. Shorter	
Gary D. Creed	
Mary W. Biggs	

Motion was for denial

**NEW BUSINESS**

**Board of Supervisors -Consulting Services for Tax Processing**

On a motion by C.P. Shorter, seconded by John A. Muffo and carried unanimously,

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BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2002, for the function and in the amount as follows:

100	Board of Supervisors	\$50,000
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203	Undesignated Fund Balance	\$50,000
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Said resolution appropriates fund balance monies to cover the estimated costs of consulting services provided by Robinson, Farmer, Cox Associates.

The vote on the foregoing motion was as follows:

AYE

NAY

John A. Muffo None

Larry N. Rush

James D. Politis

C.P. Shorter

Gary D. Creed

Annette S Perkins

Mary W. Biggs

**Schools - Lease Revenue Bond Proceeds**

On a motion by C.P. Shorter, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County, Virginia by resolutions dated July 24, 2000 and October 9, 2001 agreed to issue bonds to cover the cost of acquisition, construction, and equipping of certain improvements and renovations to County schools and related facilities including the Blacksburg Middle School, Christiansburg Middle School and other capital improvements to the County; and

WHEREAS, The Board of Supervisors issued debt totaling \$24,305,000 in November, 2000 and \$24,495,000 ( \$16,995,000 Lease Revenue Bonds and \$7,500,000 in VPSA) in November, 2001 for this purpose; and

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WHEREAS, The Montgomery County School Board has asked to use \$47,000 of these funds to cover the cost of consulting fees to develop a plan for the re-use of certain schools and the future plans for two other schools.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby **TABLES** the request by the Montgomery County School Board to use \$47,000 of Lease Revenue bond proceeds for payment of consulting fees to develop a plan for the re-use of Blacksburg Middle School, Christiansburg Middle School, Shawsville Middle School, and Bethel Elementary School, and future plans for Elliston Lafayette Elementary and Price's Fork Elementary Schools until Bond Counsel authorizes the use of bond proceeds for this expenditure.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
C.P. Shorter	
Gary D. Creed	
Annette S. Perkins	
Larry N. Rush	
John A. Muffo	
Mary W. Biggs	

### **Planning and Inspections - Proposed Fee Schedule**

On a motion by C.P. Shorter, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that pursuant to Sections 8-20, 8-136 and 10-52 respectively of the Code of the County of Montgomery, Virginia, the Board of Supervisors hereby establish the following schedule of fees associated with the Building Code, Subdivision Ordinance and Zoning Ordinance:

#### **CATEGORY**

#### **FEE SCHEDULE**

#### **Zoning and Subdivision Fees:**

**Rezoning (to)** ~~\$90.00 plus \$2.00 per adjacent property owner  
(9/23/91)~~

A-1, C-1 = \$175.00 \*

R-R, R-1, R-2 = \$200.00 + \$10.00/acre or portion thereof \*

R-3, RM-1 = \$250.00 + \$15.00/acre or portion thereof \*

GB, CB = \$300.00 + \$15.00/acre or portion thereof \*

ML, M-1 = \$350.00 + \$20.00/acre or portion thereof \*

Planned Development

PUD-Res, PUD-Com, PIN = \$300.00 + \$10.00/acre or portion thereof\*

**Special Use Permit** ~~\$90.00 plus \$2.00 per adjacent property owner  
(9/23/91)~~  
\$250.00 \*

Telecommunications Towers = \$1000.00\*

**Change in proffered conditions** ~~\$90.00 plus \$2.00 per adjacent property owner  
(9/23/91)~~  
\$200.00 + \$10.00/acre or portion thereof\*

Comprehensive Plan Amendment \$200.00\*

**Variance Request - BZA** ~~\$100.00~~  
\$200.00\*

**Appeal of Zoning Administrator's decision  
- BZA** ~~\$100.00~~  
\$175.00\*

**Subdivision Review Fee** \$35.00 per plat + ~~\$~~ 2.00 per lot for each lot  
over ~~10~~ 5

Site Plan Review \$50.00 + \$10.00/acre or portion thereof

*Zoning Confirmation Letter* \$50.00

*DMV Certification Letter* \$15.00

*Adjustment & Appeals Board* \$175.00\*

\* - add mailing costs of \$2.00 per adjacent property owner

**Building:**

**Residential:**

New Construction ~~\$0.075 per sq. ft. gross bldg. Area (6/24/1991);~~  
~~\$10.00 min. (2/26/1996)~~  
**\$0.12 per sq. ft. gross bldg. Area**  
**\$30.00 min.**

Addition ~~\$0.075 per sq. ft. gross bldg. Area (6/24/1991);~~  
~~\$10.00 min. (2/26/1996)~~  
**\$0.12 per sq. ft. gross bldg. Area**  
**\$30.00 min.**

Alteration/Renovation ~~\$0.04 per sq. ft. gross bldg. Area (6/24/1991);~~  
~~\$10.00 min. (2/26/1996)~~  
**\$0.10 per sq. ft. gross bldg. Area**  
**\$30.00 min.**

Accessory Structures ~~\$0.04 per sq. ft. gross bldg. Area (6/24/1991);~~  
~~\$10.00 min. (2/26/1996)~~  
**\$0.10 per sq. ft. gross bldg. Area:**  
**\$30.00 min.**

**Electrical:** **\$0.01 per sq. ft. gross bldg. Area**  
~~\$10.00 min. (2/26/1996)~~  
**\$30.00 min.**

Temporary Pole ~~\$10.00 (2/26/1996)~~  
**Temporary Electric on Pole** **\$30.00**

Permanent Service Entrance

Temporary Service	\$4.00 (6/23/1986)
150 amps & under	\$4.00 (6/23/1986)
151 to 200 amps	\$7.00 (6/23/1986)
201 to 400 amps	\$9.00 (6/23/1986)
401 amps & over	\$13.00 (6/23/1986)

Wiring to Outlets:

1 to 10	\$3.00 (6/23/1986)
11 to 20	\$4.00 (6/23/1986)
21 to 30	\$5.00 (6/23/1986)
31 to 50	\$7.00 (6/23/1986)
51 to 100	\$10.00 (6/23/1986)
Over 100	\$10.00 for every 100 or portion thereof (3/26/1990)

Lighting Fixtures

1 to 10	\$3.00 (6/23/1986)
11 to 20	\$4.00 (6/23/1986)
21 to 40	\$5.00 (6/23/1986)
41 to 75	\$7.00 (6/23/1986)
76 to 150	\$8.00 (6/23/1986)
Over 150	\$8.00 for every 150 or portion thereof (3/26/1990)

Motors

1/2 h.p. & under	\$2.00 (6/23/1986)
Over 1/2 h.p. to 1 h.p.	\$3.00 (6/23/1986)
Over 1 h.p. to 3 h.p.	\$4.00 (6/23/1986)
Over 3 h.p. to 10 h.p.	\$7.00 (6/23/1986)
Over 10 h.p.	\$9.00 (6/23/1986)

Appliances

All appliances	\$2.00 (6/23/1986)
Heat pump or other type of furnaces	\$4.00 (6/23/1986)
Also includes gas furnaces	

Plumbing:

**\$0.01 per sq. ft. gross bldg. Area**  
~~\$10.00 min. (2/26/1996)~~

**\$30.00 min.**

Fixtures	\$2.00 (3/26/1990)
Floor Drains	\$2.00 (6/23/1986)
Water heaters	\$2.00 (6/23/1986)
Dishwashers	\$2.00 (6/23/1986)
Garbage Disposal	\$2.00 (6/23/1986)
Water Connection Inspection	\$2.00 (3/26/1990)
Sewer Connection Inspection	\$2.00 (3/26/1990)

**Mechanical:** **\$0.01 per sq. ft. gross bldg. Area**  
**\$30.00 min**

**Manufactured Housing:**

Single Wide (Class B) ~~\$90.00 (8/16/2000)~~  
**\$100.00**

Double Wide (Class A) \$120.00 (8/16/2000)  
1-story in height **and** no basement

Double Wide (Class A) \$180.00 (8/16/2000)  
Greater than 1-story in height  
or with basement

Double Wide (Class A) \$240.00 (8/16/2000)  
Greater than 1-story in height with basement

**Triple Wide** **\$300.00**

Deck/Porch (greater than 6' x 6') \$30.00 (8/16/2000)

Temporary Pole \$30.00 (8/16/2000)

Industrialized Building Unit (Modular) Same as modular

**Trailers** **\$50.00** **Construction**

Re-Inspection Fee \$30.00 (11/10/1999)

**Non-Residential:**

Estimated Costs of \$1,000 - \$100,000 \$10.00 for first thousand plus \$2.65 for each additional thousand or fraction thereof rounded up to the nearest dollar (2/26/1996)

Estimated Costs of \$100,001 - \$500,000 \$272.00 for the first one hundred thousand plus \$1.2625 for each additional thousand or fraction thereof rounded up to the nearest dollar (2/26/1990)

Estimated Costs of \$500,001 - \$1,000,000 \$777.00 for the first five hundred thousand plus \$.505 for each additional thousand or fraction thereof rounded up to the nearest dollar (2/26/1990)

Estimated Costs over \$1,000,000 \$1,030.00 for the first million plus \$.202 for each additional thousand or fraction thereof rounded up to the nearest dollar (2/26/1990)

Removal or installation of underground storage tank ~~\$20.00 min. (1/8/1990)~~  
**\$30.00 min**

Demolition ~~\$10.00 min. (6/24/1991)~~  
**\$30.00 min.**

Re-Inspection Fee \$30.00 (11/10/1999)

**Miscellaneous Fees:**

**Virginia State levy on all permits for the purpose of continued education and training (1% of building permit fee).**

**Building Plan Review**

**Single-Family Residential No Charge**

**Multi-Family & Non-Residential \$0.015 per sq. ft. gross bldg. Area**  
**\$50.00 min.**

**Code Investigation Fee \$50.00**

**Change of Service**

**Residential \$30.00**

<u>Commercial</u>	<u>\$50.00</u>
<u>Swimming Pools</u>	<u>\$50.00 Above-ground</u>
	<u>\$100.00 In-ground</u>
	<u>\$200.00 Commercial</u>
<u>Temporary Certificate of Occupancy</u>	<u>\$30.00</u>
Copy of Zoning Ordinance	\$12.00 + mailing costs
Copy of Comprehensive Plan	<del>\$15.00</del> <u>\$20.00</u> + mailing costs
Copy of Subdivision Ordinance	<del>N/C</del> <u>\$5.00 + mailing costs</u>
County Street Maps	<del>\$1.00</del> <u>\$3.00</u>
Tax Parcel Map	
Color Copy 24" x 26"	\$10.00
Color Copy 8" x 11" or 8" x 14"	<del>\$1.00</del> <u>\$2.00</u>
Digital Copy	\$10.00
	\$1.00 for each add'l storage media req'd
Photocopies	\$0.25 per page
USGS Map	\$4.00
Open Space Map	\$0.25
Soil Survey Book	N/C

**Refunds:** (10/23/1989)

1. Refund request must be in writing and state the reason for the refund request.
2. Refunds requested within ~~one year~~ six (6) months of the permit date will be made in an amount which deducts (a) ~~\$10~~ \$20 for administrative charges plus (b) ~~\$20~~ \$30 for each inspection visit made to the site.
3. No refunds will be made ~~one year~~ six (6) months or more after the permit date.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
C.P. Shorter	None
Gary D. Creed	
Annette S. Perkins	
Larry N. Rush	
John A. Muffo	
James D. Politis	
Mary W. Biggs	

## **COUNTY ADMINISTRATOR'S REPORT**

### **Report on Comprehensive Plan Meeting**

Utilities Committee The County Administrator reported that the Utilities Committee met to discuss the Town of Christiansburg's request for a boundary line adjustment at the new Christiansburg Middle School site and at the 3-A.

- Report on Boundary Adjustment - Christiansburg  
Road Improvements to Christiansburg Middle School

Centralized Accounting

## **BOARD MEMBERS' REPORTS**

Supervisor Rush

Supervisor Muffo

Supervisor Perkins



Supervisor Creed

Supervisor Politis

-Charter Cable T.V.

-Night Court

Supervisor Shorter

Supervisor Biggs

**It was the consensus of the Board to schedule a special meeting on June 3, 2002 after the Public Service Authority to meeting to discuss the issue of converting the Public Service Authority into a County Department.**

**Chrisman Mill Road**

**INTO CLOSED MEETING**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711      (1)      Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Office on Youth Advisory Board

(3)      Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body

1. Public Parking

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The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Larry N. Rush	None
C.P. Shorter	
James D. Politis	
Gary D. Creed	
Annette S. Perkins	
John A. Muffo	
Mary W. Biggs	

### **OUT OF CLOSED MEETING**

On a motion by C.P. Shorter, seconded by Larry N. Rush and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Larry N. Rush	None
C.P. Shorter	
James D. Politis	
Gary D. Creed	
Annette S. Perkins	
John A. Muffo	
Mary W. Biggs	

### **CERTIFICATION OF CLOSED MEETING**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

**Office on Youth Advisory Board- Appointment**

On a motion by Larry N. Rush, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Kay B. Luttrell** to the Office on Youth Advisory Board effective May 14, 2002 and expiring October 22, 2004.

Said appointment fills the unexpired term of Stephen K. Price, resigned.

The vote on the foregoing resolution was as follows:

AYE

Larry N. Rush  
Gary D. Creed  
C. P. Shorter  
James D. Politis  
Annette S. Perkins  
John A. Muffo  
Mary W. Biggs

NAY

None

## **ADJOURNMENT**

On a motion by Larry N. Rush, seconded by C.P. Shorter and carried unanimously, the Board adjourned to Tuesday, May 28, 2002 at 7:15 p.m.

The vote on the foregoing motion was as follows:

### **AYE**

Larry N. Rush

C.P. Shorter

James D. Politis

Gary D. Creed

Annette S. Perkins

John A. Muffo

Mary W. Biggs

### **NAY**

None

The meeting adjourned at 11:15 p.m.